



ప్రకాశం జిల్లా రాజపత్రము

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అధికారమువలన ప్రచరించబడినది

నెం. 3

బంగోలు, 2010వ సంవత్సరము, మార్చి నెల, 18వ తేది, గురువారము

విషయ సూచిక

జూడీషియల్ ప్రకటనలు 33 - 65

జూడీషియల్ ప్రకటనలు

CIVIL COURT - KANDUKUR
I.P. No. 30/2009

Monday, the 14th day of December, 2009

1 Kolla Venkata Narasimham,
S/o Pitchaiah,
Hindu, Aged about 60 years,
Land holder,
R/o Ramanadhapuram Village,
H/o Palukur,
Kandukur Mandal,
Prakasam District.

2 Kolla Sree Hari,
S/o Kolla Venkata Narasimham,
Hindu, Aged about 35 years,
Land holder,
R/o Ramanadhapuram Village,
H/o Palukur,
Kandukur Mandal,
Prakasam District.

-----Petitioner

Vs.,

1 Thanikonda Ramanaiah (Debtor),
S/o Jalaiah,

Aged about 45 years, Hindu,

land holders,

R/o Ramanadhapuram Village,
Nandanavanam Post,

H/o Palukuru, Kandukur Mandal,
Prakasam District.

2 Thanikonda Sreemannarayana (Alinee),
S/o Ramanaiah (1st respondent),

Aged about 21 years, Hindu,
land holders,

R/o Ramanadhapuram Village,
Nandanavanam Post,

H/o Palukuru, Kandukur Mandal,
Prakasam District.

3 Thanikonda Vijaya Kumar (Alinee)
S/o Ramanaiah,

Aged about 19 years, Hindu,
land holders,

R/o Ramanadhapuram Village,
Nandanavanam Post,

H/o Palukuru, Kandukur Mandal,
Prakasam District.

- 4 Chebrolu Venkateswarlu (Creditor),
S/o Kotaiah,
Aged about 45 years, Hindu,
land holders,
R/o Ramanadhapuram Village,
Nandanavanam Post,
H/o Palukuru, Kandukur Mandal,
Prakasam District.
- 5 Kolla Kotaiah (Creditor),
S/o Venkata Narasaiah,
Aged about 65 years, Hindu,
land holders,
R/o Ramanadhapuram Village,
Nandanavanam Post,
H/o Palukuru, Kandukur Mandal,
Prakasam District.
- 6 The Official Receiver,
Ongole,
Prakasam District.

-----Respondents

Notice is hereby given under Section 19(2) of P.I Act, the petitioner/creditor has applied a petition in this Court under Section 9 of P.I Act praying the Court to adjudicate the respondent No. 1 as an insolvent after Summary administration of the petition and for costs.

I.P. stands posted to 4-2-2010.

(Sd.),
Senior Civil Judge,
Kandukur.

CIVIL COURT - DARSI
I.P. No. 17/09

Gumma Atchaiah,
S/o Peda Rajaiah,
Aged 44 years, Hindu, Coolie,
R/o Dondapadu Village,
Donakonda Mandal,
Prakasam District.

-----Petitioner

- 1 Laga China Rajaiah,
S/o Yerra Ramaiah,
Aged 49 years, Hindu,
Cultivation,
R/o Raghuram Nagar,
Sattenapalli, Guntur Mandal.

- 2 Dondapati Venkateswarlu,
S/o China Venkata Subbaiah,
Aged 38 years, Hindu,
Cultivation,
R/o Chandapur Village,
Darsi Mandal,
Prakasam District.
- 3 Dondapati Subbaiah,
S/o Nagaiyah,
Aged 64 years, Hindu,
Cultivation,
R/o Dondapadu Village,
Gudipadu Post, Donakonda Mandal,
Prakasam District.
- 4 Katepalli Musalaiah,
S/o Venkateswarlu,
Aged 38 years, Hindu, Cultivation,
Chandalur Village,
Darsi Mandal,
Prakasam District.

- 5 Dondapati Audi Narayana,
S/o China Venkata Subbaiah,
Aged 42 years, Hindu, Cultivation,
Dondapadu Village,
Gudipadu Post, Donakonda Mandal,
Prakasam District.

-----Respondents

Notice is hereby given under Section 10 of Provincial Insolvency Act that the petitioner filed a petition under Section 10 of P.I Act praying to adjudicate the petitioner as an insolvent and the said IP stands posted to 3-2-2010.

Dated this the 31st day of December, 2009.

(Sd.),
Senior Civil Judge,
Darsi.

CIVIL COURT - KANDUKUR
I.P. No. 2/2010

Thammineni Subba Reddy,
S/o Malakondaiah,
Hindu, Aged about 48 years,
Business,
R/o Damacharla Anjaneyulu Colony,
Singarayakonda Village and Mandal,
Prakasam District.

-----Petitioner/Debtor

| | | | |
|---|---|-----|---|
| | Vs., | 9 | Shaik Abdulla, S/o China Masthan, Muslim, Aged about 38 years, Business (Tires shop), R/o Op. Andhra Bank, Singarayakonda Village and Mandal, Prakasam District. |
| 1 | Patan Najuni, W/o Khadar Basha, Muslim, Aged about 52 years, R/o Masjeed Street, Singarayakonda Village and Mandal, Prakasam District. | 10. | Tammineni Nageswara Rao, S/o Malakondaiah, Hindu, Aged about 45 years, Business, R/o Opp. Andhra Bank, Singarayakonda Village and Mandal, Prakasam District. |
| 2 | Annam Sambasiva Rao, S/o Veeraiah, Hindu, Aged about 48 years, Business, R/o Sundar Nagar, Singarayakonda Village and Mandal, Prakasam District. | 11. | Undella Narasareddy, S/o Narasaiah, Hindu, Aged about 30 years, Teacher, R/o Near R. T. C. depot, Podili Village and Mandal, Prakasam District. |
| 3 | Nuthalapati Sailaja, W/o Srinu, Hindu, Aged about 30 years, Business, R/o Somarajupalli Village Singarayakonda Mandal, Prakasam District. | 12. | Vaka Venkata Narapareddy, S/o Venkateswara Reddy, Hindu, Aged about 42 years, Business, R/o 5th line, Vidya Nagar, Mulaguntapadu, Singarayakonda Mandal, Prakasam District. |
| 4 | Gadamsetty Haranadh, S/o Venkata Subbaiah, Hindu, Aged about 46 years, Business, R/o Trunk Road, Singarayakonda Village and Mandal, Prakasam District. | 13. | Kunam Sekhara Reddy, S/o Audireddy, Hindu, Aged about 40 years, Business, R/o 6th line, Vidya Nagar, Mulaguntapadu, Singarayakonda Mandal, Prakasam District. |
| 5 | S. Chandrasekhara Reddy, S/o Siva Reddy, Hindu, Aged about 37 years, Business, R/o Mulaguntapadu, Singarayakonda Mandal, Prakasam District. | 14. | Nelapati Balasankarababu, S/o Buchaiah, Hindu, Aged about 45 years, Business, R/o 5th line, Vidya Nagar, Mulaguntapadu, Singarayakonda Mandal, Prakasam District. |
| 6 | Patan Nazeer, S/o Jafar Khan, Muslim, Aged about 50 years, Business, R/o near Andhra Bank, Singarayakonda Village and Mandal, Prakasam District. | 15. | The Branch Manager, Sundam Finance Ltd., Kurnool Road, Ongole. |
| 7 | Shaik Paryjan, W/o Imanisa, Muslim, Aged about 60 years, Business, R/o Byragimanyam, Singarayakonda Village and Mandal, Prakasam District. | 16. | The Branch Manager, Indus Ind Bank Ltd., Near New K. B. Restaurant, Ongole Town, Prakasam District. |
| 8 | Munagala Devika, W/o Ramanaiah, Hindu, Aged about 38 years, Business, R/o Opp. Andhra Bank, Singarayakonda Village and Mandal, Prakasam District. | | |

17. The Branch Manager ,
Sriram Finance Ltd. ,
S. B. I. Upstairs, Kandukur Road,
Singarayakonda Village and Mandal,
Prakasam District.
18. Official Receiver ,
Ongole.

-----Respondents/Creditors

PETITION FILED ON BEHALF OF THE
PETITIONER UNDER SECTION 10 OF THE
PROVINCIAL INSOLVENCY ACT 1920

- 1 The Description of the Petitioner is mentioned above. His address for service is that of his counsel Sri B. V. Muralikrishna, Advocate, Kandukur.
- 2 The description of the respondents is mentioned above. And their address for service is same as described above.
- 3 The petitioner submits that the petitioner is doing lorry business by purchasing the Lorries under hypothecation agreements. In carrying out his business the petitioner became indebted to the respondents as shown in 'A' schedule annexed to the petition. The petitioner sustained heavy loss in his business due to escalation of oil prices, maintenance expenses, low rents and repairs. The petitioner is not in a position to discharge the debts to the respondents. Now the petitioner is running two Lorries bearing Nos. AP 27 W 5389 and AP 27V 2761 and both are manufactured by Ashok Leyland Company. The lorry bearing No. AP 27 W 5389 is purchased by the petitioner hypothecating to the 15th respondent. So also the lorry bearing No. AP 27V 2761 is purchased by the petitioner under Hypothecation agreement with 16th respondent. The petitioner is not able to pay the installments to the respondents 15 and 16 as he sustained in his lorry business. The ownership over the said Lorries will be transferred to petitioner after completion of payment of all installments and hypothecation agreement holders will

have rights over the above said Lorries. The petitioner is not in a position to discharge the debts of respondents in full and the debts of the petitioner are more than his assets.

- 4 The petitioner further submits that the respondents are making pressure over the petitioner to discharge their debts in full immediately. Some of respondents threatening the petitioner and his family members that they would file criminal cases against the petitioner with false allegations. The 1st respondent filed a suit against the petitioner on the file of this Hon'ble court in O.S. No. 166/2009 for recovery of an amount of Rs. 4,20,812/- with future interest and got attached the lorry bearing No. AP 27 W 5389 before judgement and the same is in the custody of this Hon'ble court. The 1st respondent also contending that she would file criminal complaint against the petitioner on the strength of fabricated and forged documents. The other respondents also trying to file suits against petitioner. The 16th respondent has seized the lorry bearing No. AP 27 V 2761 and taken away the same as the petitioner failed to pay the installments. Both the lorries stated above are not in the custody of the petitioner. The debts of the petitioner are more than his assets the petitioner is not owning any immovable properties the same is shown in 'B' schedule. The movable properties of the petitioner is shown in 'C' schedule. Though the Lorries mentioned in 'C' schedule as the lorries stand in the name of petitioner. There are no debts to the credit of the petitioner and the same is shown in 'D' schedule. Hence the petitioner is constrained to file this petition to adjudicate him as an insolvent. The petitioner has no objection to handover the 'C' schedule property of ficial Receiver.
- 5 There is no collusion in between petitioner and respondents in filing of this petition. No similar petition is pending

in any court of law and petitioner has not filed any similar petition in any court previously.

6. The cause of action for the petition arose when the petitioner became indebted to the respondents in his lorry business and he sustain loss in his lorry business when the respondents are making pressure against the petitioner to discharge their debts and threatening the petitioner to file criminal cases, when the petitioner is not in a position to discharge the debts of the respondents when the debts of the petitioner is more than the assets of the petitioner when the 1st respondent filed a suit against the petitioner for recovery of money in O.S. No. 166/2009 on the file of this Hon'ble Court, and it arose at Singarayakonda Village and Mandal where the petitioner contracted 'A' schedule debts from the respondents and most of the respondents are residents of Singarayakonda with in the jurisdiction of this Hon'ble court.

7. For the purpose of court fee and jurisdiction a fixed court fee of Rs. 10/- is paid under schedule 1 Article 2(a) of A.P.C.F. Act 1956.
8. The petitioner therefore prays the Hon'ble court that it may be pleased to pass decree and judgment in his favour.

A. Adjudicating the petitioner as an insolvent and to appoint the official receiver Ongole to take possession of petition 'C' schedule properties for proper administration among the general body of creditors.

B. To grant costs the petition, and,

C. To grant such other and further reliefs which the Hon'ble court may deems fit and proper in the Circumstances of the case.

Petitioner

I, the petitioner do hereby declare and state that the above stated facts are true and correct to the best of my knowledge, belief and information

Advocate for Petitioner

Petitioner

IN THE COURT OF
SENIOR CIVIL JUDGE, KANDUKUR

I.P.No. 2/2010

Thammineni Subbareddy

----Petitioner/Debtors

Vs.,

1. Patan Najuni and 16 others

-----Respondents/Creditors

'A' SCHEDULE

| S No. | Name of the Creditor | Nature of the Debt | Amount Due Rs.. |
|-------|--------------------------|--------------------|-----------------|
| 1 | Patan Najuni | Suit amount | 4,20,812/- |
| 2 | Annam Sambasiva Rao | Pronote | 1,00,000/- |
| 3 | Nuthalapati Sailaja | Pronote | 2,05,000/- |
| 4 | Gadamsetty Haranadh | Pronote | 1,50,000/- |
| 5 | S. Chandra Sekhara Reddy | Pronote | 50,000/- |
| 6 | Patan Nazeer | Pronote | 80,000/- |
| 7 | Shaik Paryjan | Pronote | 50,000/- |
| 8 | Munagala Devika | Pronote | 1,00,000/- |
| 9 | Shaik Abdulla | Pronote | 2,00,000/- |
| 10. | Tammineni Nageswara rao | Pronote | 1,00,000/- |
| 11. | Undella Narasareddy | Pronote | 1,00,000/- |
| 12. | Vaka Venkata Narapareddy | Pronote | 1,30,000/- |
| 13. | Kunam Sekhara Reddy | Pronote | 70,000/- |
| 14. | Nelapati Balasankarababu | Pronote | 40,000/- |
| 15. | Sundaram Finanace Ltd | Hypothe-cation | 5,00,000/- |

| S No. | Name of the Creditor | Nature of the Debt | Amount Due Rs. | 1 | Patan Najuni and 16 others -----Respondents/Creditors |
|----------|-------------------------|-----------------------|-------------------|---|--|
| 16. | Indus Ind Bank Ltd | Hypothe- cation | 5,00,000/- | | 'C' SCHEDULE |
| 17. | Sriram Finance Ltd | Chit transaction | 5,00,000/- | 1 | Pants |
| | | | | 2 | Shirts |
| | | | | 3 | Bed Sheets |
| | | | | 4 | Lungees |
| | | | | 5 | Cooking Vessels |
| | | | | 6 | Tumblers |
| | | | | 7 | Ashok Leyland Lorry Bearing No. AP 27 W 5389 |
| | | | | 8 | Ashok Leyland Lorry Bearing No. AP 27 V 2761 |
| | | | | | 1 Rs. 7,00,000-00 |
| | | | | | Total : Rs14,00,470-00 |

I, the petitioner herein do hereby state that the contents of the petition 'A' schedule are true and correct to the best of my information and belief

Advocate for Petitioner Petitioner

IN THE COURT OF
SENIOR CIVIL JUDGE, KANDUKUR

I.P.No. 2/2010

Thammineni Subbareddy
-----Petitioner/Debtor

1 Patan Najuni and 16 others
-----Respondents/Creditors

'B' SCHEDULE

Nil

Petitioner

I, the petitioner herein do hereby state that the contents of the petition 'B' schedule are true and correct to the best of my information and belief.

Advocate for Petitioner Petitioner

IN THE COURT OF
SENIOR CIVIL JUDGE, KANDUKUR

I.P.No. 2/2010

Thammineni Subbareddy
-----Petitioner/Debtor

I, the petitioner herein do hereby state that the contents of the petition 'C' schedule are true and correct to the best of my information and belief

Advocate for Petitioner Petitioner

CIVIL COURT - KANDUKUR

I.P. No. 1/2010

Jayaraj Dhanamma

-----Petitioner

And

- 1 Bathula Kotamma
 - 2 Malem Venkata Subba Reddy
 - 3 K. Siva Reddy
 - 4 bethamsetty Subbarma
 - 5 Dorthala Obulamma
 - 6 Kallagunta Padma
 - 7 Gopavarapu Thirupathamma
 - 8 Mule Mangamma
 - 9 Krishna Reddy
 10. Of ficial Receiver, Ongole.
- Respondents

PETITION FILED ON BEHALF OF THE
PETITIONER U/O 6 AND 10 OF
PROVINCIAL INSOLVENCY ACT

Description of the Petitioner :-

1. The Petitioner is the daughter of Jayaraj, Aged about 30 years, Christian, Correspondent PEARL PUBLIC SCHOOL, Main Bazar, Kanigiri Town and Mandal, her service of summons and notices to her counsel, Sri K. Harikoteswara Rao, BA., L.L.B., Advocate, Kandukur, Prakasam District.

2. Description of the Defendant :
1st Petitioner is the W/o Guravaiah, Aged about 48 years, near S. A.O. hostel, Kothapeta, Kanigiri Town and Mandal, Prakasam District. 2nd respondent is Aged about 33 years, Finance Ofice, Devaki Plaza, Room No. 5, Kanigiri Town and Mandal, Prakasam District. 3rd respondent is Aged about 34 years, running a Sai Book Shop, College Road, Podili Town and Mandal, Praksam District. 4th respondent is the Wife of China Yogaiah, Aged about 45 years, Tailor, Kuchipudipalli, 5th Ward, Kanigiri Town and Mandal, Prakasam District. 5th respondent is the wife of Krathi, Aged about 45 years, 8th Ward kathi John Street, Nakkalathippa, Kanigiri Town and Mandal, Prakasam District. 6th respondent is the wife of Subba Rao, Aged about 36 years, Near Hero Honda Show Room, Kanakapattanam, 3rd house, Kanigiri Town and Mandal, Prakasam District. 7th respondent is the wife of Nageswara Reddy, Aged about 48 years, 8th Ward, Mamidi Complex, Kothapeta, Kanigiri Town and Mandal, Prakasam District. 8th respondent is the wife of Dulu Reddy, Aged about 46 years, 8th Ward, Vankayalapativari Street, Near I.C.I.C.I. Bank, Kanigiri Town, Prakasam District. 9th respondent is Aged about 40 years, Sivadurga Finance, Danimmapeta, Rajamandry Town. The 10th respondent

is Officeial Receiver, Ongole their address for service of notice etc., Is the same as stated above.

3. The petition is filed for adjudication for the petitioner as an insolvent and other appropriate relief's
4. That the petitioner been maintaining a private school in rented building namely "PEARL PUBLIC SCHOOL" situated at Main Bazar of Kanigiri Town. The Petitioner has been eaking out is lively hood by maintaining the said school for last 10 years and have being with a view to increase of students the petitioner borrowed several amounts from the respondents and other, and there fore the petitioner incurred heavy debts. While she was running the school successfully she lent several amounts to various debtors and also invested several amounts for school publicity, heavy salaries and running expenses consequently the amount borrowed her from the respondents. Due to heavy competition there was no new admissions, so I did not repay huge amounts, and there for she was unable to run the school peacefully as there was heavy pressure form the respondents. How ever she could not discharge several debts borrowed from the respondents. Now she has no substantial income and capacity, she has not in a possession to discharge debts of the respondents.
5. Some of the respondents are trying to file civil suits against her and some of the respondents are trying to file criminal case against her and that some of the respondents are threatening her with dire consequences. She has apprehending every danger to her life and of her family members. Some of the respondents are trying to take away the moveable properties of this petition forcibly with the help of anti social elements.

- 6 The petitioner humbly submits that in spite of her best efforts that she could not discharge the debts borrowed from the respondents as there is no possibility for her to do any work and therefore there is no substantial income from his work. Nobody is coming forward to advance any loans to run her school or promote the class. The petitioner is not having any other properties except the properties shown "B" schedule of the petition. The amounts in debit to the respondents are shown in "A" Schedule in a tune of Rs. 5,63,000/- Further hand loan property to the Official Receiver at Ongole.
- 7 The petitioner submits that she has not file any petition of this kind earlier to this petition the petitioner did not alienate any of her properties 2 months prior to filing of this petition.
- 8 CAUSE OF ACTION; The cause of action for this petition arose when the petitioner borrowed several amounts and invested the same for her peer Public School for development purpose, when the debtors of the petitioner received huge amounts to the petitioner for publicity higher salaries and running for last 10 years for due to heavy competition and consequently when the petitioner sustained loss in the school and could not discharge the debts borrowed from the respondents and when and son of the respondents are trying to file civil suits against the petitioner and some of the respondents are trying to file criminal cases against the petitioner and some of respondents are threatening the petitioner with dire consequences and when the petitioner is unable to discharge the debts of the respondents of Rs. 5,63,000/-, all it arose at Kanigiri town where the B schedules is situated and the petitioner is residing with in the Jurisdiction of the Honourable court.
- 9 Court fee and Jurisdiction:- For the purpose of court fee and Jurisdiction a fixed court fee of Rs. 10/- is paid as per the provisions under Schedule 11 Article 2 of Andhra Pradesh court fees and suits valuation Act of 1956.
10. RELIEF:- Hence the petitioner therefore pray the Honourable court that it may be pleased.
- a To adjudicate the petitioner an insolvent and vest all his properties to the official receiver Ongole, for properties administration and distribution among the creditors of the petition.
- b To grant costs of this petition and
- c To grant such other and further relief's as the Honourable court may deem fit and proper in the circumstances of the case.

—Petitioner

I, the petitioner herein do hereby declare and state that the facts stated herein above are true and correct to the best of my knowledge information and belief.

Advocate for the petitioner

Petitioner

IN THE COURT OF
SENIOR CIVIL JUDGE COURT,
KANDUKUR

I.P.No. 1/2010

Jayaraj Dhanamma

—Petitioner

And

- 1 Bathula Kotamma and 8 others
-----Respondents

"A" SCHEDULE PROPERTIES FILED BY
THE PETITIONERS SHOWING THE
DEBET DUES BY THE PETITIONER.

(Five lakhs sixty three thousand rupees only)

--Petitioner

CIVIL COURT - KANDUKUR
I.P.No. 1/2010

Jayaraj Dhanamma

-----Petitioner

And

1 Bathula Kotamma and 8 others

----- Respondents

VS

**"B" SCHEDULE MOVABLE PROPERTIES
OWNED BY THE PETITIONER**

| S. No. | Description | Value Rs. |
|--------|---------------|--------------|
| 1 | Computer | 20,000-00 |
| 2 | Seeling Fan | 1,500-00 |
| 3 | Tables 7 | 7,000-00 |
| 4 | Chairs 8 | 3,200-00 |
| 5 | Gas Stove | 2,000-00 |
| 6 | Portable T.V. | 4,000-00 |
| 7 | Saries 5 | 1,500-00 |

Golla Sreenivasulu,
S/o Subba Rao,
Hindu, Clerk, Aged about 51 years,
R/o Gudlur Village and Mandal,
Prakasam District

-----Petitioner

(His address for service of summons is that of his counsel, Sri Y. Sambasiva Rao, Advocate, Kandukur).

1 Gattamaneni Venkateswarlu,
S/o Venkata Subbaiah,
Hindu, Aged about 55 years,
Agriculturist,
R/o Puretipalli Village,
Gudlur Mandal,
Prakasam District.

2 Khaja Hanumayamma,
W/o Sreenivasa Rao,
Hindu, aged about 42 years,
Employee, R/o Paparaju thota,
Chirala.

- 3 Kunam Venkata Ramireddy,
S/o not known, Agriculturist,
Hindu, aged about 45 years,
R/o Pandalapadu Village,
Kandukur Mandal,
Prakasam District.
- 4 Nalluri Lskshmi Narayana,
S/o Venkateswarlu, Agriculturist,
Hindu, aged about 48 years,
R/o Kotareddy Nagar,
Kandukur town and Mandal,
Prakasam District.
- 5 Bhoomireddy Narasareddy,
S/o Yanadi Reddy, Agriculturist,
Hindu, aged about 55 years,
R/o Basireddipalem Village,
Gudlur Mandal,
Prakasam District.
- 6 Kudumala China Brahmareddy,
S/o Peda Kondareddy,
aged about 47 years, Agriculturist,
R/o Basireddypalem Village,
Gudlur Mandal,
Prakasam District.
- 7 Makham Kasi Vara Prasad,
S/o late China Hazarathaiah,
Hindu, aged about 35 years,
R/o Nawabpet, Sivalayam backside,
Nellore Town and District.
- 8 The Of ficial Receiver,
Ongole, Court building complex.

(Their address for service of Summons is same described above)

—Respondents.

Petition filed on behalf of the Petitioner under section 10 of Provincial Insolvency Act:

(1) The addresses for petitioner and respondents are given in the cause title itself.

(2) The petitioner is the resident of Gudlur village. The petitioner was carrying on Paddy business upto 2002. The petitioner has uncurred debts from various creditors for his paddy business, raising of mango garden, court expenses and for family expenses. As ill-luck would have it, the petitioner sustained heavy loss in his paddy business. The petitioner has shown his creditors in petition 'A' Schedule. His

immovable properties are shown in the petition 'B' shcedule and the moveables and wearing appeal are shown in the petition 'C' schedule. The petitioner is not having any assets to his credit. The same is shown in the petition 'D' schedule. In the above circumstances the debts due to the creditors are more than his assets and the petitioner is not able to discharge his debts in full due to his various creditors.

(3) While so some of the creditors are threatening the petitioner that they would file suits and obtain decrees and get the petitioner arrested and to harass him. Some of the creditors are threatening to file criminal complainants against the petitioner. The 1st respondent filed suit O.S. No. 234/2003 on the file of the Principal Junior Civil Judge, Kandukur and he also filed E.P. No. 38/2007 for the arrest of the petitioner. The Honourable Principal Junior Civil Judge may order for the arrest of the petitioner. So the petitioner is constrained to file this petition as his debts are more than his assets and since he is unable to pay the debts in full to his creditors.

(4) The petitioner has not filed any petition of this nature in any court previously. There is no collusion in between the petitioner and the respondents in filing this petition. The petitioner has not suppressed any of his properties. The petitioner is ready and willing to handover all his assets to the Of ficial Receiver, Ongole for proper distribution of ratables to the various creditors as and when directed by the Hon'ble Court.

(5) The petitioner has got Ac. 3-22 cents of land in Survey no. 816/5 in Mogalluru village of Gudlur Mandal. It is goverment land and assigned in the name of the petitioner. The said land is inalienable and there is a case in write petition no. 1480/2009 is pending in between petitioner and one Syed Meera Mohiddin on the file of Honourable High Court of A.P. The land shown in petition 'B' schedule belongs to one Golla Subba Rao, the father of the petitioner, Golla Subba Rao died about 6 years back. Golla Subba Rao got wife, 5 sons and two daughters. So the petitioner has got 1/8th share in Ac. 0-64 cents of land.

(6) The cause of action:- Cause of action for the petition arose when the petitioner contracted debts from the respondents for at Gudlur Village for his paddy business, plantation of mango garden, court expenses and family expenses and when he incurred heavy losses in his paddy business and his debts are more than Rs. 500/- and when the petitioner is unable to pay the debts in full, and it arose at Gudlur village and mandal, Prakasam district where the petitioner is residing and where he contracted various debts are within the jurisdiction of this Honourable court. Hence the Honourable court has got jurisdiction to try this petition.

(7) As it is a debtor I..P. a fixed court fees of Rs. 10/- is paid herewith under schedule II, Article 3 of Andhra Pradesh court fees and suits valuation Act of 1956.

(8) Therefore the petitioner prays that the Honourable court that it may be pleased:

- A) To adjudicate the petitioner as an insolvent;
- B) to pass final orders discharging the petitioner;
- C) to grant costs of this petition; and;
- D) to grant such other and further reliefs which the Honourable court may deem fit an proper in the circumstances of the case.

camp: Kandukur,

Date: 27-1-2010.

-Petitioner

I, the petitioner herein do hereby state and declare that the facts stated in the above paras of the petition are all true and correct to the best of knowledge information and belief.

Advocate for petitioner

-Petitioner

IN THE COURT OF
SENIOR CIVIL JUDGE, KANDUKUR

I.P.No. 3/2010

Golla Srinivasulu,

Vs.

1. Gattamaneni Veenkateswarlu and 7
others

-----Respondents

Af fidavit:

I, Golla Srinivasulu s/o Subba Rao, Hindu, Clerk, aged about 51 years, R/o Gudlur village and Revenue mandal of Prakasam district do hereby solemnly af firm and state as follows:-

(1) I am the petitioner, I know the facts of the case.

(2) I am the resident of Gudlur village. I was carrying on paddy business upto 2002. I have incurred debts from various creditors for my paddy business, raising of mango garden, court expenses and for family expenses. As ill-luck would have it I sustained very heavy loss in my paddy business. I have shown my creditors in the petition 'A' schedule. My immovable properties are shown in the petition 'B' schedule and the movables and wearing apparel are shown in the petition 'C' schedule. I am is not having any assets to my credit. The same is shown in the petition 'D' schedule. In the above said circumstances the debts due to the creditors are more than my assets and the I am not able to discharge my debts in full due to my various creditors.

(3) While so, some of the creditors are threatening me that they would file suits and obtain decrees and get me arrested and to harass me. Some of the creditors are threatening to file criminal complainants against me. The first respondent filed suit .S. No. 234/2003 on the file of the Principal Junior Civil Judge, Kandukur and he also filed E.P. No. 38/2007 for the arrest of mine. The Honourable Principle Junior Civil Judge ordered for the arrest of mine. So I am constrained to file this petition as my debts are more than my assets and since I am unable to pay the debts in full to my creditors.

(4) I have not filed any petition of this nature in any court previously. There is no collusion in between me and the respondents in filing this petition. I have suppressed any of my properties. I am ready and willing to handover my assets to the Official Receiver, Ongole for proper distribution of ratables to the various creditors.

(5) I have got Ac.3-22 cents of land in S.No.816/5 in Mogalluru village. It is government land and assigned in the name of petitioner. The said land is inalienable and there is a case in writ petition no. 1480/2009 is pending in between me and one Syed Meera Mohiddin on the file of the Hon'ble High Court of A.P. The land shown in the petition 'B' schedule belongs to one Golla Subba Rao the father of mine. Golla Subba Rao died about six years back. Golla Subba Rao got wife, five sons and two daughters. I have got 1/8th share in Ac. 0-64 cents of land.

(6) Therefore I humbly pray the Honourable court that it may be pleased to pass orders as prayed for by me in the petition. Otherwise I will be put to irreparable loss and injury.

—Petitioner

Solemnly affirmed and executed before me today.

—Advocate

Advocate for petitioner.

IN THE COURT OF
SENIOR CIVIL JUDGE, KANDUKUR

I. P. No. 3/2010

Golla Sreenivasulu, —Petitioner
Vs.

1. Gattamaneni Venkateswarlu
and 7 others
----Respondents

Petition 'A' Schedule (Creditors) filed on behalf of Petitioner

| S No. | Description of the Creditor | Nature of the Debt | Amount Due Rs.. |
|-------|-----------------------------|--------------------|-----------------|
| 1 | Gattamaneni Venkateswarlu | E.P. | 97,000/- |
| 2 | Khaja Hanumayamma | Pranote | 80,000/- |
| 3 | Kunam Venkata Ramireddy | " | 52,000/- |

| S No. | Description of the Creditor | Nature of the Debt | Amount Due Rs.. |
|-------|-----------------------------|--------------------|-----------------|
| 4 | Nalluri Lakshmi Narayana | Pranote | 65,000/- |
| 5 | Bhoomireddy Narasareddy | " | 50,000/- |
| 6 | Kudumula China Dharma Reddy | " | 70,000/- |
| 7 | Makham Kasi Vara Prasad | " | 40,000/- |
| | | Total : | 4,54,000/- |

—Petitioner

I, the petitioner herein do hereby state and declare that the facts stated in the above paras of the petition 'A' schedule are all true and correct to the best of knowledge information and belief.

Advocate for petitioner

—Petitioner

IN THE COURT OF
SENIOR CIVIL JUDGE, KANDUKUR

I. P. No. 3/2010

Golla Sreenivasulu, —Petitioner
Vs.

1. Gattamaneni Venkateswarlu
and 7 others
----Respondents

Petition 'B' Schedule (Immovable Properties) filed on behalf of Petitioner

Prakasam District Gudlur Mandal the land situated in Basireddipalem Village vide Survey No. 185 of extent of Ac. 0-64 cents bounded by :-

East : Road
South : the land of Tammineni Ramireddy
West : the land of Golla Raghavamma
North : the land of Narala Malyadri

Total extent : Ac. 0-64 cents

Petitioners 1/8 Share Ac. 0-08

Value Rs. 50,000/-

—Petitioner

I, the petitioner herein do hereby state and declare that the facts stated in the above paras of the petition 'B' schedule are all true and correct to the best of knowledge information and belief.

Advocate for petitioner

-Petitioner

IN THE COURT OF
SENIOR CIVIL JUDGE, KANDUKUR

I.P.No. 3/2010

Golla Sreenivasulu,

-Petitioner

Vs.

- 1 Gattamaneni Venkateswarlu
and 7 others

-----Respondents

Petition 'C' Schedule (Moveable and
W earing apparel) filed on behalf of
Petitioner

| | | | |
|---|----------|---|--------|
| 1 | Costs | 2 | 300-00 |
| 2 | Utensils | | 500-00 |
| 3 | Pants | 2 | 250-00 |
| 4 | Shirts | 2 | 100-00 |
| 5 | Towels | 2 | 100-00 |

Total : Rs. 1,250-00

-Petitioner

I, the petitioner herein do hereby state and declare that the facts stated in the above paras of the petition 'C' schedule are all true and correct to the best of knowledge information and belief.

Advocate for petitioner

-Petitioner

IN THE COURT OF
SENIOR CIVIL JUDGE, KANDUKUR

I.P.No. 3/2010

Golla Sreenivasulu,

-Petitioner

Vs.

- 1 Gattamaneni Venkateswarlu
and 7 others

-----Respondents

Petition 'D' Schedule filed on behalf of
Petitioner

(Amounts to be received by the petitioner)

Amount to be received by the Petitioner : Nil

-Petitioner

I, the petitioner herein do hereby state and declare that the facts stated in the above paras of the petition 'D' schedule are all true and correct to the best of knowledge information and belief.

Advocate for petitioner

-Petitioner

CIVIL COURT - KANDUKUR

I.P. No. 4/2010

Badveli Ramakrishna Reddy,
S/o Venkata Reddy,
Hindu, Aged about 70 years,
Cultivation,
R/o Pakala Village,
Singarayakonda Mandal,
Prakasam District.

-----Petitioner

Vs.

- 1 Mulumudi Narareddy,
S/o Koti Reddy,
Hindu, Aged about 60 years,
Cultivation,
R/o Pakala Village,
Singarayakonda Mandal,
Prakasam District.

- 2 Vayyeti Subbareddy,
S/o Veerareddy,
Hindu, Aged about 60 years, Cultivation,
R/o Bhagyanagar,
4th Class Employees Association Road,
Ongole Town and Mandal,
Prakasam District.

- 3 Malamreddy Prasuna,
W/o Balakrishna Reddy,
Hindu, Aged about 40 years, Business,
M/o Mulaguntapadu Village,
Singarayakonda Mandal,
Prakasam District.

| | | | |
|-----|--|-----|---|
| 4 | Sannapureddy Rukminamma, W/o Chandrasekhara Reddy, Hindu, Aged about 78 years, C/o Punuru Janakiramireddy, R/o Pakala Village, Singarayakonda Mandal, Prakasam District. | 11 | Bommireddy Pattabhirami Reddy, S/o Veerareddy, Hindu, Aged about 45 years, Cultivation, R/o Madanuru Village, Kothapatnam Mandal, Prakasam District. |
| 5 | Jetti Padmavathi, W/o Krishnareddy, Married daughter of late Chandrasekharreddy, Hindu, Aged about 62 years, housewife, C/o Doctor Jetti Pramodareddy, Near Andhra Bank, Balaji Nagar, S.P.S.R. Nellore District. | 12. | Bommireddy Lingareddy, S/o Veerareddy, Hindu, Aged about 42 years, Cultivation, R/o Mamidipalem, Ongole Town, Mandal, Prakasam District. |
| 6 | Punuru Suhasini, W/o Janakiramireddy, Married daughter of late Chandrasekharreddy, Hindu, Aged about 60 years, housewife, Agriculture, R/o Pakala Village, Singarayakonda Mandal, Prakasam District. | 13. | Balagani Koteswara Rao, S/o Yellamanda, Hindu, Aged about 45 years, Cultivation, R/o Madanuru Village, Kothapatnam Mandal, Prakasam District. |
| 7 | Alla Basivireddy, S/o Ramireddy, Hindu, Aged about 62 years, Cultivation, R/o Madanuru Village, Kothapatnam Mandal, Prakasam District. | 14. | Kunkala Narayana Reddy, S/o Venkatasubba Reddy, Hindu, Aged about 50 years, Cultivation, R/o Madanuru Village, Kothapatnam Mandal, Prakasam District. |
| 8 | Badveli Pullareddy, S/o Kotireddy, Hindu, Aged about 45 years, Cultivation, R/o Madanuru Village, Kothapatnam Mandal, Prakasam District. | 15. | Bommireddy Mahendra Reddy, S/o Chenchurami Reddy, Hindu, Aged about 40 years, Cultivation, R/o Madanuru Village, Kothapatnam Mandal, Prakasam District. |
| 9 | Alla Venkata Krishnareddy, S/o Ramireddy, Hindu, Aged about 59 years, Cultivation, R/o Madanuru Village, Kothapatnam Mandal, Prakasam District. | 16. | Chudiedela Seshareddy, S/o Venkataramireddy, Hindu, Aged about 45 years, Cultivation, R/o Sujatha Nagar, Near Park, Ongole Town and Mandal, Prakasam District. |
| 10. | Alla Seshareddy, S/o Ramireddy, Hindu, Aged about 67 years, Cultivation, R/o Madanuru Village, Kothapatnam Mandal, Prakasam District. | 17. | Ulchi Kotireddy, S/o Ayyapareddy, Hindu, Aged about 65 years, Cultivation, R/o Pakala Village, Singarayakonda Mandal, Prakasam District. |

18. Attipalli Hariprasada Reddy,
S/o Gopalareddy,
Hindu, Aged about 42 years,
Cultivation,
R/o Rudrakota Village,
Kavali Mandal,
S.P.S.R. Nellore District.
19. Attipalli Ramireddy,
S/o Venkareddy,
Hindu, Aged about 67 years,
Cultivation,
R/o Rudrakota Village,
Kavali Mandal,
S.P.S.R. Nellore District.
20. Kunda Brahmareddy,
S/o Krishna Reddy,
Hindu, Aged about 40 years,
Cultivation,
R/o Thumadu Village,
Janugumalli Mandal,
Prakasam District.
21. Vasa Narayana Reddy,
S/o Sundararami Reddy,
Hindu, Aged about 40 years,
Cultivation,
R/o Thumadu Village,
Janugumalli Mandal,
Prakasam District.
22. Ulchi Narayana Reddy,
S/o Ramalingareddy,
Hindu, Aged about 40 years,
Cultivation,
R/o Somarajupalli Village,
Near Pakala Railway gate,
Singarayakonda Mandal,
Prakasam District.
23. Pirakala Sudheera Reddy,
S/o Krishna Reddy,
Hindu, Aged about 38 years,
Private Employee,
R/o Plot No.
F1, Block No. 149,
V. R. K. Apartments,
Saptagiri Colony,
Sainkpuri,
Secunderabad.
24. Of ficial Receiver,
Ongole,
Prakasam District.

NEAT COPY OF THE INSOLVENCY PETITION FILED ON BEHALF OF THE PETITIONER UNDE SECTION 6, 7, 10 AND 13 OF PROVINCIAL INSOLVENCYACT

1 The petitioner is the native and resident of Pakala Village, Singarayakonda Mandal, Prakasam District. The petitioner is an agriculturist basically by profession. But previously the petitioner also used to raise tobacco crop and also some times carried on tobacco business. The petitioner borrowed various loan amounts from respondents 1 to 4 and 7 to 23 and the father of 5 and 6 and the husband of 4th respondent, mentioned in the petition and the amounts shown against their names in the 'A' Schedule, to cultivate and raise tobacco crop and also to carry on tobacco business. But the petitioner incurred heavy loss in his agriculture due to fluctuations in seasonal rains in the area and also sustained heavy loss in his tobacco trade. The cut come from his agriculture and the income from cut of his tobacco business derived by the petitioner was not even sufficient for the sustenance of the petitioner's family. And so the petitioner could not even pay interest portion to all his body of creditors besides the petitioner also incurred huge amounts in contesting co-operative election in Pakala Co-operative Society virtually the petitioner became penniless. The petitioner also begs to submit that he also sold his wet land longback in pursuance of his attempt to discharge the debts of some of his creditors who threatened the petitioner that they file suits against him. Even the sale consideration of the said wet land of the petitioner was proved to be insufficient to discharge the debt amounts of a few creditors of the petitioner. Thus the petitioner is unable to discharge the debts he borrowed from his various creditors. The liabilities of the petitioner for exceeded the financial resources of the petitioner as virtually the petitioner has no valuable assets of his own worth the name except

- his dwelling tiled house. Therefore the petitioner is unable to pay his debts at all. The petitioner is furnishing hereunder the various debt amounts borrowed by him under several promissory notes and otherwise and the material particulars of the petitioner's properties which are his only assets present.
- 2 The petitioner now volunteers to place his movable and immovable properties if any at the disposal of the Hon'ble Court.
- 3 The 3rd respondent also got issued a registered lawyer notice dated 14-12-2009 threatening that she would take appropriate legal against the petitioner through process of law in the event of the petitioner's failure to comply her demand. Though the petitioner never borrowed any such amount from the 3rd respondent as claimed by her. Likewise the legal heirs of late Sannapureddy Chandra Sekhara Reddy i.e., respondent 4 to 6., the 4th respondent also have been threatening the petitioner that they will file suits against the petitioner along with all the other respondent and send him to civil prison. The petitioner begs to submit that he has no source of income or has no property of his own of any kind to pay the debts of his general body of creditors. Hence the petitioner pleads his inability and incapacity to discharge all his debts as he has been expressing his incapacity and his inability time and again to repay the debts adequately or otherwise also. Hence under these facts and circumstances, the petitioner is constrained to file this petition.
- 4 The petitioner has not filed any insolvency petition of this nature in any court to adjudicate him as insolvent previously. The creditors of the petitioner also not filed any insolvency petition to declare the petitioner as insolvent before.
- 5 The cause of action for this petition arose when this petitioner indebted to several creditors enlisted in the 'A' schedule and also when his debts exceeded his estate or his financial resources.
- 6 A fixed court fee of Rs. 10/- is paid as per the provisions of article II schedule II (A) under Section 26 of A. P.C.F. and S. C. Act 1956.
- 7 For the above grounds the petitioner prays the Hon'ble Court :
- A. To adjudicate the petitioner as an insolvent;
 - B. To vest the properties of the petition 'B' schedule in the Of ficial Receiver, Ongole, Prakasam District for administration of the same for the benefit of the general body of creditors;
 - C. To grant time for discharge;
 - D. To award costs of this petition;
 - E. To grant such other and further reliefs as the Hon'ble Court may deem fit and proper in the circumstances of the case.
- Petitioner
- The contents of the petition in all the above paras are read over and explained to me in vernacular language and I petitioner herein do hereby state and declare that all the above facts are true and correct to the best of knowledge information and belief.
- Advocate for petitioner
- Petitioner
- IN THE COURT OF
SENIOR CIVIL JUDGE, KANDUKUR
- I. P.No. 4/2010
- Badveli Ramakrishna Reddy
- Petitioner
- Vs.
- Mulumudi Narareddy and others
- Respondents

'A' SCHEDULE

| S No. | Name of the Creditor | Nature of Debt | Amount due Rs. |
|---------|---|----------------|------------------------|
| 1 | Mulumudi Narareddy | Pronote | 20,000/- |
| 2 | Vayeti Subbareddy | " | 1,35,000/- |
| 3 | Malamreddy Prasuna | " | 48,000/- |
| 4 | Sannapureddy Rukminamma Sannapureddy Chandrasekhareddy since he died his legal heirs are as follows : 4th respondent already herein as his wife | " | 22,000/- 1,44,000/- |
| 5 | Jetti Padavath; i | | |
| 6 | Punuru Suhasini | | |
| 7 | Alla Basivireddy | " | 3,00,000/- |
| 8 | Badveli Pullareddy | " | 2,50,000/- |
| 9 | Alla Venkata Krishnareddy | " | 1,50,000/- |
| 10. | Alla Seshareddy | " | 2,00,000/- |
| 11. | Bommireddy Pattabhirami Reddy | " | 1,75,000/- |
| 12. | Bommireddy Lingareddy | " | 1,25,000/- |
| 13. | Blagani Koteswara Rao | " | 1,50,000/- |
| 14. | Kunkala Narayana Reddy | " | 1,50,000/- |
| 15. | Bommireddy Mahendra Reddy | " | 2,00,000/- |
| 16. | Chudidela Seshareddy | " | 2,25,000/- |
| 17. | Ulchi Kotireddy | " | 2,50,000/- |
| 18. | Attipalli Hari Prasad Reddy | " | 1,50,000/- |
| 19. | Attipalli Ramireddy | " | 2,25,000/- |
| 20. | Kunda Brahma Reddy | " | 2,50,000/- |
| 21. | Vasa Narayanareddy | " | 2,75,000/- |
| 22. | Ulchi Narayanareddy | " | 1,90,000/- |
| 23. | Pirakala Sudheera Reddy | " | 2,25,000/- |
| Total : | | | Rs. 38,59,000/- |

I, the petitioner herein do hereby state and declare that the facts stated in the above paras of the petition 'A' schedule are all true and correct to the best of knowledge information and belief.

Advocate for petitioner —Petitioner

IN THE COURT OF
SENIOR CIVIL JUDGE, KANDUKUR

I.P.No. 4/2010

Badveli Ramakrishna Reddy

-----Petitioner

vs.

Mulumudi Narareddy and others

-----Respondents

'B' SCHEDULE

A dwelling tiled house bearing Door No. 3-9 in an extent of 168 Sq. Meters or 1800 Sq. feet situated in an extent of 700 Sq. Yards of house site bounded by :

| | | |
|-------|---|---|
| East | : | Road |
| South | : | Site of Shaik Deeba Saheb, |
| West | : | Site of Battula China Veerareddy and others |
| North | : | Site of Ballela Ramireddy |

Market Value : Rs. 50,000/-

Which is exempted under Section 60 of C.P.C. since he is an agriculturist.

—Petitioner

I, the petitioner herein do hereby state and declare that the facts stated in the above paras of the petition 'B' schedule are all true and correct to the best of knowledge information and belief.

Advocate for petitioner —Petitioner

IN THE COURT OF
SENIOR CIVIL JUDGE, KANDUKUR

I.P.No. 4/2010

Badveli Ramakrishna Reddy

'D' SCHEDULE

Amount due under cheque No. 853863,
dated 2-10-2009 payable by Gungi
Ramakrishnaiah Rs. 15,000/-

—Petitioner

Vs.

Mulumudi Narareddy and others

-----Petitioner

I, the petitioner herein do hereby state
and declare that the facts stated in the above paras
of the petition 'D' schedule are all true and cor-
rect to the best of knowledge information and
belief.

-----Respondents

Advocate for petitioner

—Petitioner

'C' SCHEDULE

| | | | |
|-----------------|---|-----|--------|
| Dhovaties | 2 | Rs. | 150-00 |
| Shirts | 2 | Rs. | 150-00 |
| Sarees | 2 | Rs. | 200-00 |
| Blouses | 2 | Rs. | 100-00 |
| Cooking Vessels | 4 | Rs. | 150-00 |
| Tumblers | 2 | Rs. | 40-00 |

--Petitioner

CIVIL COURT - ONGOLE
I.P.No. 1/2010

Between :

Magathoti Raju,
S/o Venkateswarlu,
Aged 36 years, Hindu,
Dependent,
R/o Claphpet, 5th line,
near Old Babu theatre,
Ongole.

-----Petitioner

And

- 1 Manchala Sreenivasulu,
S/o Gangaiah,
Aged 37 years, Hindu,
R/o D. No. 1-100A,
Gopalanagaram,
4th line,
Ongole.
- 2 Revu Venkateswaramma,
W/o Seetharamaiah,
Aged 30 years,
R/o D. No. 1-48-32,
Indurthingar,
Ongole.
- 3 Rathikrinda Ravi Babu,
S/o Adiseshu,
Aged 32 years,
D. No. 1-40-29,
Indurthingar,
Ongole.

Advocate for petitioner

—Petitioner

IN THE COURT OF
SENIOR CIVIL JUDGE, KANDUKUR

I.P.No. 4/2010

Badveli Ramakrishna Reddy

-----Petitioner

Vs.

Mulumudi Narareddy and others

-----Respondents

- 4 Indurthi Udai,
S/o Kesava Rao,
Aged 26 years,
R/o D. No. 1-37A.
Indurthinagar,
Ongole.
- 5 B. Venkanna,
S/o not known,
Aged 45 years,
Old Material Business,
Venkateswara Nagar,
Ongole.
- 6 Duraga Chandra Chandramma,
W/o Abraham,
Aged 55 years, House wife,
Harijanawada,
R/o Ammanabrolu Village,
N.G. Padu Mandal.
- 7 Melam Suseela,
W/o Prabhudass,
Aged 40 years,
R/o Cloughpet, 5th line,
Ongole.

-----Respondents

Notice is hereby given under Section 10 of Provincial Insolvency Act that the petitioner has applied to this Court praying for the adjudication of the acts of the insolvency of the petitioner and pass orders for administration of the debts and property of the petitioner by Official Receiver, Ongole and this petition posted to 25-2-2010.

Dated this the 25th day of January, 2010.

(Sl.),
Addl. Senior Civil Judge,
Ongole.

CIVIL COURT - KANDUKUR

I.P.No. 7/2009

Wednesday, this the 16th day of December, 2009.
Between :

Shaik Hazi Ghousie,
S/o Bala Ramtu Saheb,
Muslim, Aged about 38 years,
Business,
R/o Pamuru Town and Mandal,
Prakasam District.

-----Petitioner

- And
- 1 Kotapati Venkateswarlu,
S/o China Rosaiah,
Hindu, Aged about 48 years, Business,
R/o Kothapalli Village,
Dubagunta Panchayat,
Pamur Mandal,
Prakasam District.
- 2 Rusum Amrunnisa,
W/o Meeravali,
House wife, Aged about 38 years,
R/o H. No. 6-60,
State Bank of India Road,
Pamur Town and Mandal,
Prakasam District.

-----Respondents

This petition is filed by the petitioner under Section 9 of Provincial Insolvency Act praying the Court to adjudicate the 1st respondent as an insolvent and setting aside the collusive sham and nominal sale deed executed by the 1st respondent in favour of 2nd respondent, dated 29-10-08 by vesting the same to the Official Receiver, Ongole for proper administration and distribution among general body of creditors and for costs of the petition.

This petition coming on this day for final hearing before me in the presence of Sri Y. Sambasiva Rao, Advocate for petitioner, Sri Sk. Masthan Vali, Advocate for 1st respondent and R2 set ex parte, on perusal of chief affidavits filed by P.W. 1 and 2 coupled with ex. A1 and A2, upon hearing the counsel for petitioner and having stood over for consideration till this day, this Court. Do the Order and Decree :-

- 1 That the 1st respondent be hereby adjudicated as insolvent;
- 2 that the Official Receiver is hereby directed to enquire into genuinity of transaction of petition schedule property, dated 29-10-08 in favour of 2nd respondent by the 1st respondent : and
- 3 that there be no order as to costs.

Given under my hand and seal of the Court,
this the 16th day of December , 2009.

PETITION SCHEDULE

Prakasam District, Kanigiri Sub District,
Pamur Mandal, Dubagunta Panchayat,
Dubagunta Village,Koru Survey No. 83/8 of an
extent of 1-24 cents bounded by :-

East : Mutyala Lakshmaiah land and Bandla
Bata
South : Poramboke land
West : The land of Kotapati Venkateswarlu
North : Bandla Bata

(Sd.),
Senior Civil Judge,
Kandukur .

CIVIL COURT - KANDUKUR

I.P.No. 12/2009

Monday, this the 14th day of December , 2009.
Between :

Shaik Ghoush Basha,
S/o Ramthumiya,
Muslim, Aged about 49 years,
R/o Kanigiri Town &
Revenue Mandal,
Prakasam District.

-----Petitioner

And

- 1 Valandi Brahmaramba
W/o Babu,
Hindu, Aged about 49 years,
House wife,
R/o S. R. Nagar,Ameerpetta,
D. No. 7-1-451/4, Circle-7,
Hyderabad.
- 2 Gayam Dasaradha Ramireddy,
S/o Thirupathi Reddy,
Hindu, Aged about 50 years, Employee,
R/o Hubly Hills, Road No. 81,
Plot No. 391-C, Plot No. 301,
W ard No. 8, Circle No. 7,
Hyderabad City.
- 3 Punuru Bala Satyam Reddy,
S/o Venkata Subbareddy,
Hindu, Aged about 45 years,
R/o 7th Ward, D. No. 7/213,
R/o Kanigiri Town & Revenue Mandal,
Prakasam District.

4 Dintakurthi Venkata Subrahmanyam,
S/o Venkata Subbaiah,
Hindu, Aged about 38 years, Business,
R/o Subhash Road,
R/o Kanigiri Town & Revenu Mandal,
Prakasam District.

5 Shaik Bavuddin,
S/o Imam Saheb,
Muslim, Aged about 49 years,
R/o 8th Ward,Jawaharlal Street,
R/o Kanigiri Town & Revenu Mandal,
Prakasam District.

-----Respondents

This petition is filed by the petitioner
under Section 9 of Provincial Insolvency Act
praying the adjudicate the R1 as insolvent and to
appoint Of fical Receiver , Ongole as Interim Re-
ceiver , to take possession of the petition sched-
ule properties by setting aside the sale deed, dated
22-11-2008 bearing documents Nos. 9068/08,
9069/08 and 9070/08 and for proper administra-
tion and to distribution\ the sale proceeds among
the general body of creditors.

This petition coming on this day for
final hearing before me in the presence of Sri
K. Rama Dasu, Advocate for petitioner, R1 to
R5 set ex parte, on perusal of chief af fidavits
filed by P.W . 1, coupled with ex. A1 to A4, this
Court. Do the Order and Decree :-

- 1 That the 1st respondent be here by adjudi-
cated as insolvent;
- 2 that the Official Receiver is hereby
directed to take possesssion of petition
A, B & C schedule properties administer
the same distribute the sale proceeds
among the general body of creditors;
- 3 that six months time is hereby granted
for discharge; and
- 4 that there be no order as to costs.

Given under my hand and seal of the Court,
this the 14th day of December , 2009.

Table of Costs

-No. C.M. & F. C. is filed on either side.

NB :- Schedule hereto attached.

(Sd.),
Senior Civil Judge,
Kandukur .

CIVIL COURT - KANDUKUR
I.P.No. 25/2009

Tuesday, this the 15th day of December, 2009.

Between :

Kasukurthi Venkateswarlu,
S/o Ankaiah,
Hindu, Aged about 44 years, Coolie
R/o Kalikivai Village,
Singarayakonda Revenue Mandal,
Prakasam District.

-----Petitioner

And

- 1 Bhavanam Subba Reddy
@ Venkata Subba Reddy,
S/o Ratna Reddy,
Hindu, Aged about 43 years,
Working as Attendar, A.D. Office,
R/o Kalikivai Village,
Singarayakonda Revenue Mandal,
Prakasam District.
- 2 The Official Receiver,
Ongole,
Prakasam District.

-----Respondents

This petition is filed by the petitioner under Section 10 of Provincial Insolvency Act praying the Court to adjudicate him as insolvent after summarily administration of the petition and for costs of this petition.

This petition coming on this day for final hearing before me in the presence of Sri Y. Sambasiva Rao, Advocate for petitioner, respondent set ex parte, on perusal of chief affidavits filed by the petitioner, upon hearing the counsel for petitioner and having stood over for consideration till this day, this Court Do the Order and Decree :-

- 1 that the petitioner be hereby adjudicated as insolvent;
- 2 that the Official Receiver is hereby directed to take possession of schedule properties, administer the same and

distribute the sale proceeds to the respondent No. 1.

- 3 that six months time is hereby granted for discharge; and
- 4 that there be no order as to costs.

Given under my hand and seal of the Court, this the 15th day of December, 2009.

(Sd.),
Senior Civil Judge,
Kandukur.

CIVIL COURT - KANDUKUR
DEBTOR I. P. No. 26/2009

Akki Ramulamma

-----Petitioner
Vs.,

- 1 Katisani Narayana Reddy
- 2 Mudumala Chinnapareddy
- 3 Chinthamreddy Venkata Subbareddy
- 4 Mudumala Rama Subbamma
- 5 Palagundla Ramireddy
- 6 The Official Receiver,
Ongole.

-----Respondents

Petition filed on behalf of petitioner under Section 10 of Provincial Insolvency Act

- 1 The petitioner is the wife of Ramaiah, aged about 60 years, Hindu, dependent, resident of Krishnamanayunipalli Village, C. S. Puram Mandal, Prakasam District. Her address for service of notices etc., is that of her counsel Ch. Harikrishna, Advocate, Kandukur, Prakasam District.
- 2 The 1st respondent is the son of Venkata Reddy, Hindu, Aged about 35 years, Agriculturist, resident of Krishnamanayunipalli Village of C. S. Puram Mandal, Prakasam District. The 2nd respondent is the son of Doula Reddy, Hindu, Aged about 65 years, Agriculturist, resident of

Krishnamanayuni Palli Village of C. S. Puram Mandal, Prakasam District. The 3rd respondent is the son of Seshi Reddy, Hindu, Aged about 70 years, Agriculturist, resident of Mandalanayunipalli Village Duthalcoor Mandal, S.P.S.R. Nellore District. The 4th respondent is the wife of Chulureddy, Hindu, Aged about 50 years, resident of Basinapalli Village, S.R.Puram Mandal, Nellore District. 5th respondent is the son of Chinnapa Reddy, Hindu, Aged about 55 years, resident of Krishnamanayuni Palli Village of C. S. Puram Mandal, Prakasam District. The 6th respondent is the Official Receiver, Ongole, Prakasam District. Their address for service of notices etc. is the same as stated above.

- 3 The petition filed to adjudicate the petitioner as an insolvent and for other reliefs.
- 4 The petitioner submits that she is an old aged widow woman and ailing with old age troubles and she is not able to do any work and living on the charity of her son. The 2nd respondent filed suit against the petitioner in O.S. No. 106/06 on the file of Junior Civil Judge, Kanigiri for recovery of suit amount and subsequently the 2nd respondent obtained the decree and filed E. P. 100/2008 on the file of Junior Civil Judge, Kanigiri to realize the decree debt by way of selling the petition "B" schedule property of the petitioner. The said E.P. is pending before the Hon'ble Junior Civil Judge, Kanigiri. The petitioner is due to the 2nd respondent by virtue under the said decree in O.S.No. 106/2006. The petitioner also borrowed the amounts from the other respondents for her son education expenses and medical necessities and indebted to all the respondents. The petitioner is an old woman and not able to do any work, she is not in position to discharge all the said debts to the respondents. The petitioner has got only the petition scheduled house property and

she is residing in the same and she is unable to attend any works due to her old age and unable to earn the money. Therefore the petitioner could not able to discharge the debts due to the respondents.

- 5 The petitioner further submit that she is indebted to a tune of Rs. 1,79,103/- to the respondents as shown in the petition "A" schedule. The petitioner has no any valuable immovable properties of her own and she has no valuable moveables to dispose of the same and to discharge the debts except on extent of about Ten ankanams of house and site in the name of petitioner, as shown in the "B" schedule. The moveables of petitioner are shown in "C" schedule. The petitioner has not been getting any income over the said property. As the debts of petitioner are huge and more than her assets, since the petitioner has no any other assets except "B" and "C" schedule of the petition to be disposed of, she committed acts of insolvency and therefore she is to be declared as insolvent.
- 6 The respondents have been threatening the petitioner to file suits and criminal cases against the petitioner and trying to harass the petitioner. Therefore the petitioner constrained to file this petition to declare her as an insolvent. The petitioner is ready and willing to vest her "B" and "C" schedule properties to the official receiver, Ongole, for proper administration to sell and distribute the sale proceeds among general body of creditors. Therefore the petitioner is liable to be declared as an insolvent. Hence this petition.
- 7 The petitioner did not file any petition of this nature in any court previously. There is no collusion between the petitioner and respondents in filing this petition. The petitioner has not disposed of any properties prior to filing of this petition.

8 The cause of action for petition arose when the petitioner borrowed the amounts from the Respondents for her son's education expenses and her medical expenses and became indebted to them and when the petitioner became failed to discharge the debts of the Respondent due to her old age and illness and when the 2nd respondent filed E.P. 100/08 in O.S. 106/06 on the file of Junior Civil Judge, Kanigiri court for the sale of petition "B" schedule property of the petitioner and when the petitioner became unable to discharge her debts to the respondents and when the respondents are threatening the petitioner and it arose in Krishnamanayuni Palli Village, C.S. Puram Mandal where the petitioner has been residing and where the petition "B" schedule property is situated with in the jurisdiction of this Hon'ble Court.

9 For the purpose of Court fee and jurisdiction a fixed Court fee of Rs. 10/- is paid here with under schedule I Article 2 of A.P. C. F. Act.

10. Therefore the petitioner prays that the Hon'ble Court may be pleased to pass judgement and decree in his favour :-

(A) Adjudicating the petitioner as an insolvent vesting the "B" and "C" schedule properties to the Official Receiver, Ongole for proper distribution of the amounts recovered from the "B" and "C" schedule properties of the petitioner and distribute ratably to the general body of the creditors of the petitioner.

(B) To appoint interim receiver to take the possession of the "B" schedule property.

(C) To award costs of the petition.
(D) Granting such other reliefs.

Camp. : Kandukur,
Date : 28-08-2008

Petitioner

I the petitioner here in do hereby declare that the above stated facts are true and correct to the best of my knowledge, belief and information.

Advocate for Petitioner

Petitioner

IN THE COURT OF SENIOR CIVIL JUDGE,
KANDUKUR

DEBTOR I. P. No. 26/2008

Akki Ramulamma

-----Petitioner

vs.,

1 Katisani Narayana Reddy and 5 others

-----Respondents

Petition "A" schedule (List of the Debts) filed on behalf of petitioner

| Sl No. | Name of Respondent | Due under | Amount Rs |
|-----------|---|--------------------|-------------------|
| 1 | Katisani Narayana Reddy | Promissory note | 20,000/- |
| 2 | Mudumala Chinnapareddy | under Decree | 74,703/- |
| 3 | Chinthamreddy Venkata Subba Reddy | Promissory note | 20,000/- |
| 4 | Mudumala Rama Subbamma | " | 34,400/- |
| 5 | Palagundla Ramireddy | " | 30,000/- |
| | | | Tdol : 1,79,103/- |

Petitioner

I the petitioner here in do hereby declare that the above stated facts are true and correct to the best of my knowledge, belief and information.

Advocate for Petitioner

Petitioner

IN THE COURT OF SENIOR CIVIL JUDGE,
KANDUKUR

Petition "C" schedule (Movables) filed on
behalf of petitioner

DEBTOR I. P. No. 26/2009

Akki Ramulamma

-----Petitioner

Vs.,

1 Katisani Narayana Reddy and 5 others
-----Respondents

| | | | |
|---|-----------|---|--------|
| 1 | Saries | 3 | 300-00 |
| 2 | Towel | 1 | 10-00 |
| 3 | Blouses | 4 | 150-00 |
| 4 | Utensils | | 200-00 |
| 5 | Bed Sheet | 1 | 50-00 |

Total : Rs. 710-00

-----Petitioner

Petition "B" schedule filed on behalf of petitioner

Prakasam District - Kanigiri Sub Registration - C. S. Puram Mandal - Krishnamanyunipalli Village - Tiled house and vacant site in an extent of about 10 Ankanams bounded by :-

East : Building of Palagandla Venkataiah
South : Bazar
West : R. & B Road
North : Zinc sheet house of Marri Nagaiah

Value : Rs. 40,000/-

Advocate for Petitioner Petitioner

CIVIL COURT - KANDUKURU

I.P. NO. 27/2009

Between:-

Kotapati Narasimha Rao -----Petitioner

and

1. Putta Chennaiah
2. Putta Chenna Krishnaiah
3. Ganipineni Mallikharjuna Rao

-----Respondents

Petition filed on behalf of the Petitioner
U/s 7 and 9 of Provincial Insolvency Act:

1. Description of the Petitioner:

Kotapati Narasimha Rao, S/o Lakshmi Narasaiah, Hindu, aged 28 years, R/o D.No. 76-8-18/2B Mynampativeni Street, Bhavanipuram, Vijayawada-12, within the jurisdiction of Junior Civil Judge Court, Vijayawada.

Address for service is the same as stated above and to the care of his counsel-

G. Krishna, Advocate,
Nagarjuna Street,
Bhavanipuram,
Vijayawada-520 012.

IN THE COURT OF SENIOR CIVIL JUDGE,
KANDUKUR
DEBTOR I. P. No. 26/2009

Akki Ramulamma

-----Petitioner

Vs.,

1 Katisani Narayana Reddy and 5 others
-----Respondents

2. Description of the Respondents:

- i) Putta Chennaiah, S/o Chennakesavulu, Hindu, aged about 27 years, Cultivation, R/o Botlaguduru Village, Pamuru Mandal, Prakasam District, within jurisdiction of Junior Civil Judge, Court, Kanigiri.

- ii) Putta Chenna Krishnaiah, S/o Chennaiah, Hindu, aged about 57 years, Cultivation, R/o Botlaguduru Village, Pamuru Mandal, Prakasam District, within jurisdiction of Junior Civil Judge, Court, Kanigiri.

- iii) Ganipineni Mallikharjuna Rao, S/o Raghavulu, Hindu, aged about 39 years, R/o D.No. 9-3-45-4, Kothapet, Kandukuru Post and Mandal, Prakasam District, with in the jurisdiction of Junior Civil Judge Court, Kandukuru.

Address for service are the same as stated above.

3. a) The respondents 1 and 2 have jointly borrowed a sum of Rs. 2,88,000/- (Rupees Two Lakhs Eighty Eight thousands only) from the petitioner on 22-7-2008 for their family expenses and in evidencing thereof they have jointly executed a promote on the even date i.e. 22-7-2008 at Vijayawada infavour of the petitioner agreeing to repay the said amount together with interest at the rate of 24% p.a. either to the petitioner or his order on demand. Subsequently inspite of the repeated demands made by the petitioner, the respondents 1 and 2 failed to repay the said amount.

b) It is further submitted that the 1st respondent is the absolute owner of immovable property mentioned in 'B' schedule appended to this petition. To the best of the knowledge of the petitioner the 1st respondent has no other property except the above said property. The petitioner after obtaining the E.C. relating to the B-schedule property, came to know that the 1st respondent sold the said property to the 3rd respondent under a Sale Deed dt.17-8-2009 which was duly registered on 18-8-2009 with Document No. 10098/2009 on the file of Sub-Registrar, Kanigiri. The 1st respondent sold the said property with intent to defeat, delay and evade the payment of debt due to the petitioner under the above said promote. The above said sale deed has come into existence in collusion with the 3rd respondent and no consideration has passed by the 3rd respondent to the 1st respondent. The said sale transaction is a fraudulent transaction and the said sale deed is non est in the eye of Law and is a void document the 3rd respondent has no right, title and interest in the said property. The 2nd respondent has no immovable properties and during the last three months he has departed from his dwelling house at Botlaguduru Village and has secluded himself so as to deprive the petitioner of the means of communicating with him with intent to defeat and delay the payment of debt due to the petitioner under the above said promote. The respondent 1 and 2 are the nearest relatives and all the respondents have colluded together to defeat the legitimate rights of the petitioner under the above said promote. The liability of the respondents 1 and 2 is the joint and several. Thus the respondents 1 and 2 have committed an act of Insolvency within the meaning of Section 9 of Provincial Insolvency Act. Under the above said circumstances the petitioner has no other go except filling this petition to adjudicate the respondents 1 and 2 as Insolvents and to set aside the said sale deed dated 17-8-2009 executed by

the 1st respondent infavour of the 3rd respondent and to appoint an Official Receiver for administration of the petition 'B' schedule property.

4 THE CAUSE OF ACTION :

The cause of action for the petition arose on 22-7-2008 when the respondents 1 and 2 have jointly borrowed and executed a promote infavour of the petitioner, subsequently on 17-8-2009 when the first respondent has committed an act of Insolvency, and when the 2nd respondent has departed from his dwelling home and has secluded himself so as to deprive the petitioner of the means of communicating with him with intent to delay and defeat the payment of debt due to the petitioner and thus committed an act of Insolvency at Botlaguduru, Pamurru Mandal where the respondents reside and where the respondents 1 and 2 have committed an act of insolvency within the jurisdiction of this Honourable Court.

- 5 A Court Fee of Rs. 10/- is herewith paid under Schedule - 2 Art. 2, Clause 7 of A.P., C.F. and S.V.Act.
- 6 The petitioner therefore humbly prays that the Hon'ble Court may be pleased to-
- (a) to adjudicate the Respondents 1 and 2 as an Insolvents;
 - (b) set aside the registered Sale Deed dated 17-8-2009 executed by the 1st respondent infavour of the 3rd respondent, bearing document No. 10098/2009;
 - (c) appoint an Official Receiver for the purpose of administration of 'B' Schedule property; and
 - (d) grant all such other relief/s as the Hon'ble Court deems fit and proper under the circumstances of the case.

filed by

Advocate for Petitioner

Be pleased to consider

Petitioner

I do hereby declare that the above stated facts are true to the best of my knowledge, belief and information.

Kandukur,

Date : 04-11-2009.

Petitioner

IN THE COURT OF THE PRINCIPAL SENIOR CIVIL JUDGE - KANDUKUR

IP. NO. /2009

Between:-

Kotapati Narsimha Rao

— Petitioner

and

1 Putta Chennaiah and others

----- Respondents

List of Documents filed on behalf of the petitioner under Order XIII Rule - 1 of C. P. C

- | | | |
|---|----------|---|
| 1 | 22-07-08 | - Zerox copy of the Original promissory note executed by the respondents No. 1 and 2 infavour of the petitioner for Rs. 2,88,000/- |
| 2 | 17-02-99 | - Certified copy of the Regd. sale deed stands in the name of the 1st respondent bearing Document No. 342/99. |
| 3 | 17-08-09 | - Certified copy of the Regd. Sale Deed executed by the first respondent infavour of the 3rd respondent bearing Document No. 10098/09. |
| 4 | 29-09-09 | - Original E. C. issued by the Sub-Registrar, Kanigiri with regard to the schedule property for a period of 24 years. i.e. 1-1-1985 to 28-9-09. |

Vijayawada,

Dated : 04-11-2009

Advocate for Petitioner

IN THE COURT OF THE PRINCIPAL
SENIOR CIVIL JUDGE - KANDUKUR

and

IP. NO. 27/2009

Between:-

Kotapati Narsimha Rao

—Petitioner

and

1 Putta Chennaiah and others

-----Respondents

Petition "A" Schedule filed on behalf of the
petitioner

| Sl. No. | Name of the Creditors | Nature of the Debt | Amount Rs. |
|------------|------------------------------|--|-------------------------------------|
| 1 | Kotapati Narasimha Rao | Pranote dated 22-7-09 executed by the respondents 1 & 2 jointly together with interest @ 24% p.a. | 2,88,000/- (Principal amount) |
| | | | ————— |
| | | | Rs. 2,88,000/- |

filed by :

Be pleased to consider

Advocate for petitioner

Petitioner

I do hereby declare that the above stated
facts are true and correct to the best of my knowl-
edge, belief and information.

Kandukur,
Date : 04-11-2009.

Petitioner

IN THE COURT OF THE PRINCIPAL
SENIOR CIVIL JUDGE - KANDUKUR

IP. NO. 27/2009

Between:-

Kotapati Narsimha Rao

—Petitioner

1 Putta Chennaiah and others

-----Respondents

Petition "B" Schedule filed on behalf of the
petitioner

Property situated within the Sub- Registry, Kanigiri, Panuru Mandal, Prakasam District, Balijipalem Grampanchayat, Korumetta Survey No. 125 dry land Pooma number out of Ac. 20.95 cents of an extent of Ac. 2-00 is being bounded by :

East : Porambok land

South : Maruthuri Krishna Murthy land

West : Road leads from Botlaguduru to
to Balijipalem

North : Dama Mahendra land

within the above boundaries an extent of Ac.
2-00 of dry land with all easementary rights.

The value of the property is Rs. 6,00,000/-

filed by :

Be pleased to consider

Advocate for petitioner

Petitioner

I do hereby declare that the above stated
facts are true to the best of my knowledge,
belief and information.

Kandukur,
Date : 04-11-2009.

Petitioner

IN THE COURT OF THE PRINCIPAL
SENIOR CIVIL JUDGE - KANDUKUR

IP. NO. 27/2009

Between:-

Kotapati Narsimha Rao

—Petitioner

and

1 Putta Chennaiah and others

-----Respondents

B-1 Schedule filed on behalf of the petitioner
(Outstanding debts due to the respondents 1 and 2)

The petitioner has no knowledge about the outstanding debts due to the respondents 1 and 2.

B-2 Schedule filed on behalf of the petitioner
(Fixed deposits of the respondents 1 and 2)

The petitioner has no knowledge whether the respondents 1 and 2. are having F. Ds. or not.

B-3 Schedule filed on behalf of the petitioner :
(Shares and Securities)

The petitioner has no knowledge the respondents 1 and 2. are having shares and securities or not.

B-4 Schedule filed on behalf of the petitioner :
(Movable properties of the respondents 1 and 2)

The petitioner has no knowledge about movable properties of the respondents 1 and 2.

B-5 Abstract filed on behalf of the petitioner :

'A' Schedule debt due to the petitioner from the respondents 1 and 2 under prorate dated 22-7-2008.

Principal amount : Rs. 2,88,000-00

Rs. 2,88,000-00

'B' Schedule immovable property worth Rs. 6,00,000-00

'B-1' Schedule outstanding amount not known

'B-2' Schedule F. Ds. -/-

'B-3' Schedule shares and securities -/-

'B-4' Schedule movable _____
Total : Rs. 6,00,000-00

filed by _____
Advocate for petitioner

I do hereby declare that the above stated facts are true to the best of my knowledge, belief and information.

Kandukur :

Dated : 04-11-2009

Petitioner

BEFORE THE INSOLVENCY COURT-

KANDUKUR

(SENIOR CIVIL JUDGE COURT-

KANDUKUR

Creditors I. P. No. 28/2009

Thammineni China Venkata Ramireddy

-----Petitioner

Vs.

- 1 Gavadakatla Polu Raju
- 2 Gavadakatla Guravamma
- 3 Gavadakatla Malakondaiah
- 4 Gavadakatla Bodeiah
- 5 Gavadakatla China Malakondaiah
- 6 Gavadakatla Malakondaiah
- 7 Ala Sreenivasulu
- 8 Official Receiver , Ongole.

-----Respondents

Petition file on behalf of the petition under Section 9 of the Provincial Insolvency Act.

1 Description of Parties :

The petitioner Thammineni China Venkata Ramireddy is the son of China Alluraiah, Hindu, Aged about 45 years, business by profession, resident of Kanigiri Village and Mandal, Prakasam District. The address of the petitioner for service of all processes is that of his counsels Sri B. V. Murali Krishna and Y. Srikanth Reddy, Kandukur / Kanigiri.

The 1st respondent Gavadakatla Poluraju, is the son of Late Alluraiah, Aged about 45 years, Employee by profession, the 2nd respondent is Gavadakatla Guravamma, is the wife of Late Alluraiah, Aged about 80 years, housewife, the 3rd respondent Gavadakatla Malakondaiah, is the son of Late Alluraiah, Aged about 60 years, the 4th respondent Gavadakatla Bodeiah, is the son of Late Alluraiah, Aged about 55 years, the 5th respondent Gavadakatla China Malakondaiah, is the son of Late Alluraiah, Aged about 50 years, the 6th respondent Gavadakatla Malakondaiah, is the son of Late Alluraiah, Aged

about 43 years, all are R/o Immadichennuvu Village, Veligandla, Prakasam District, and the 7th respondent is son of Ala Thirupathaiah, aged 40 years, Moppallapadu Village, H. M. Padu Mandal, Prakasam District. The addresses of the respondents for service of all summons and notice is the same as above.

2 The petition is filed for adjudication of the 1st respondent as insolvent setting aside the illegal, sham, collusive and nominal sale deeds executed by the respondent 1 to 6 infavour of the 7th respondent on 29-6-2009, and for costs and for such other and further reliefs.

3 Brief Facts :

(a) The petitioner submits that the 1st respondent herein borrowed Rs. 25,000/- from him on 5-12-2003 for his family necessities and in evidence he had executed a promissory note infavour of the petitioner on the same day agreeing to repay the amount with interest at the rate of 24% P.A. to the petitioner, or his nominee on demand and delivered the said promissory note to the petitioner on the even date.

(b) The petitioner submit that he had demanded the 1st respondent number of times to repay the amount due under the above said promissory note with interest, but the 1st respondent paid an amount of Rs. 1,000/- on 10-10-2006 as part payment and the same was endorsed on the back of the said promissory note and failed to repay the balance amount. The petitioner filed suit against the 1st respondent for suit amount and the same was numbered as O.S. 88/2009.

(c) The petitioner came to know that the 1st respondent with an intention of defeating the interests of the petitioner had executed sham, nominal and collusive sale deeds infavour of the 7th respondent on 29-6-2009 as if he had sold the schedule property to the 7th respondent for a consideration amount of Rs. 3,41,000/-. It is further submitted that the sale deed created by the 1st respondent and respondents 2 to 6, infavour of the 7th respondent are not supported by consideration, and it is collusive document created with a view to defeat the interest of the

petitioner, and thereby to secret the property of the 1st respondent. It is further submitted that absolutely there is no need, or necessity for the respondent 1 to 6 to sell away the suit schedule property to the 7th respondent as the property sold by the 1st respondent are house sites costing more than Rs. 6,00,000/- as per the rates prevailing in the market. The petitioner further submits that actually the petition schedule property costs more than Rs. 6,00,000/- and the petitioner is ready and willing to purchase the petition schedule property for an amount of Rs. 6,00,000/-. It is further submitted that the creation of the alleged sale deed for an amount of Rs. 3,41,000/- itself has been proving that the sale deeds are collusive documents undervalued the property as against the rates prevailing in the market.

(d) The sale deed obtained by the 7th respondent from the respondents 1 to 6 filed herewith are sham, nominal, collusive one and not supported by any consideration and have not been intended to be acted upon. The petitioner further submits that the 1st respondent has no any worthwhile properties excepting the property illegal conveyed by him infavour of the 7th respondents without any consideration referred above. In these circumstances the petitioner has been constrained to file this petition praying the honourable court to adjudicate the 1st respondent as insolvent setting aside the sham, nominal, and collusive sale deed executed by the 1st respondent infavour of the 7th respondents on 29-6-2009.

4 The petitioner submits that he had not filed any petition of the same nature at any court at any point of time against the respondents.

5 Cause of Action :

The cause of action for the petition arose on 5-12-2003 when 1st respondent had borrowed Rs. 25,000/- from the petitioner for his family necessities and executed a promissory note infavour of the petitioner, and on 10-10-2006 when the 1st respondent paid an amount Rs. 1000/- as part payment, and subsequently he failed to repay the amount inspite of repeated demands of the petitioner, on 29-6-2009 when the 1st respondent has executed the sham,

nominal and collusive sale deed infavour of the 7th respondent at Kanigiri of Prakasam District with in the territorial jurisdiction of this honourable court. Hence, this honourable court has got jurisdiction to entertain this petition.

6 Valuation :

For the purpose of Court fee and jurisdiction fixed court fee of Rs. 10/- is affixed to this petition under Schedule I, Article (2) (a) of A. P. Court fees and suits valuation Act 1956, and also depositing Rs. 200/- towards necessary administrative charges for publication in the Gazette.

7 The petitioner therefore humbly prays the honourable court that the honourable court may be pleased to pass a judgement and a decree in his favour.

(a) Adjudicating the 1st respondent as insolvent setting aside the sham, nominal and collusive sale deed executed by the respondents 1 to 6 infavour of the 7th respondent on 29-6-2009.

(b) To appoint Official Receiver, Ongole for proper administration and sale of the schedule properties of the respondents 1 to 4 for distributing the sale proceeds and assets of the respondent 1 to 4 among the general body of their creditors.

(c) To direct the respondents to pay the costs of this petition to the petitioner,

(d) And to grant such other and further reliefs as the Honorable Court deems just and proper in the circumstances of the case.

Kandukur

Date :

Petitioner

I the petitioner do hereby declare that the contents of paras 1 to 7 of this petition are true and correct to the best of my knowledge, belief and information.

Advocate for petitioner

Petitioner

LIST OF THE DOCUMENTS FILED ON BEHALF OF THE PETITIONER UNDER ORDER 13 RULES 1 AND 2 OF C.P.C

| S No. | Date of Docu-ment | Description of the documents | Remarks |
|-------|-------------------|--|--------------------------------|
| 1 | 5-12-03 | Xerox copy of promissory note executed by the 1st respondent infavour of the petitioner for Rs. 25,000/- on 5-12-2003 containing part payment of Rs. 1000/- dated 10-10-06 | Xerox copy of Promis-sory note |
| 2 | 29-6-07 | C.C. of Registered sale deed executed by the respondents 1 to 6 infavour of the 7th respondent | Certified copy of sale deed |

Advocate for petitioner

BEFORE THE INSOLVENCY COURT-KANDUKUR
(SENIOR CIVIL JUDGE COURT-KANDUKUR)
Creditors I. P. No. 28/2009

Thammineni China Venkata Ramireddy
-----Petitioner
Vs.

1 Gavadakatla Polu Raju and others
-----Respondents

SCHEDULE FILED ON BEHALF OF THE PETITIONERS

Vacant site situating at Prakasam District, Kanigiri Sub-Registration, Kanigiri Mandal, Kanigiri Village bearing Ward No. 8, Appayavari Veedhi, on the southern side of door No. 8/136-G bounded by :-

East : Road
 South : Vacant site of Shaik Asmathabi
 West : House of Kondareddy Ramireddy and vacant site belongs to the 7th respondent
 North : House of Guthikanti Ruthamma, W/o Narasaiah (late) and house of Bathula Yoggamma to some extent.

Within these boundaries : East-West = 85.6 feet, North-South = 27.4 feet or 259.5 Sq. Yards or 217.11 Sq. Mts., of site with all easemental rights.

Kandukur,

Date : Petitioner

I the petitioner do hereby declare that the facts contained in the schedule are true and correct to the best of my knowledge belief and information.

Petitioner

CIVIL COURT - KANDUKUR
 I.P. No. 29/2009

Pigili Adi Narayana

-----Petitioner

And

1 Dasari Vekamma

2 Dasari Venkata Rao

-----Respondents

Petition filed on behalf of the petitioner under Section 9 of Provincial Insolvency Act :-

1 Description of the Petitioner :-

The petitioner son of late Venkaiah, Aged about 57 years, Hindu, Cultivation, Resident of Karedu Village of Ulavapadu Revenue Mandal, Prakasam District, his address for service of all the notices and communications is that of his counsel Sri B. Venkateswarlu, B.Sc., B.L., B.I.I.Sc., Advocate, Kandukur, Prakasam District.

2 Description of the Respondents :-

The 1st respondent wife of Sudha Rao, Aged about 51 years, Hindu, Cultivation cum Business, the 2nd respondent is the son of Sudha

Rao, Hindu, Aged about 32 years, Cultivation cum business, both are resident of Karedu Village of Ulavapadu Mandal, Prakasam District. Their addresses service of all the notices and are the same as stated above.

3 Petition filed for adjudicate the 1st respondent as insolvent and for other appropriate reliefs.

4 The petitioner humbly submit that the first respondent borrowed an amount of Rs. 40,000/- (Fourty thousand only) from the Pigili Koteswaramma R/o Karedu Village, Ulavapadu Mandal on 25-8-2004 for her family necessities in indebted to her in evidence. There of she executed a promissory note in favour of said Koteswaramma, in the above said date agreeing to repay the same either to her as to her order on demand with 30% per annum interest at Karedu Village, again the first respondent borrowed an amount of Rs. 47,000/- (Fourty Seven thousand Rupees only) from said Koteswaramma on 8-12-2005 for her family necessities and indebted to her in evidence there of first respondent executed a another promissory note infavour of said Koteswaramma on above said date at Karedu Village, agreeing to repay the same with 30% per annum interest either to said Koteswaramma or to her order on demand.

5 After borrowed the above said two debts the first respondent paid an amount of Rs. 500/- (Five hundred rupees only) on 22-8-2007 towards part payment of first pronote dated 25-8-2004 and same was endorsed on the back said pronote by the first respondent and acknowledge the said debt. Thereafter the first respondent did not choose to discharge the above said two pronotes debts inspite of many demands of the said Koteswaramma.

6 Subsequently the said Koteswaramma who is original promisee of the above said two promissory notes was died on 20-6-2008. Intestate leaving behind the petitioner herein who is her husband and only legal heir of her. After demise of said Koteswaramma her only legal heir and husband the petitioner is became holder of above said two promissory note in due

courses. After demise above said Koteswaramma, petitioner demanded the first respondent to pay above said two promissory notes debts. But the first respondent did not choose to pay any amount in discharge of the said debts. Then the petitioner filed a suit in O.S.No. 72/2009 on the file Hon'ble Senior Civil Judge Court, Kandukur for recover of above said two pranote debts, the said suit is pending for the file of written statement of the first respondent who is the defendant in that suit.

7. While the matter stood thus with a view to defraud and evading the payment of the above suit debt. In pursuance of evil design the first respondent transferred petition schedule mentioned property as executing are nominal registered settlement deed dated 29-6-2009 which was registered on 2-7-2009 bearing document on 2276/2009 in favour of the second respondent who is no other than the son of the first respondent the above said registered settlement deed in nominal and collusive. The petitioner submits that the above registered settlement deed brought in to exitance with a view to defraud the creditors of first respondent including the petitioner and intention put her valuable property beyond the reach of their creditors. The first respondent is not having any other valuable, immovable properties except the petition schedule mentioned property. So the nominal the above said settlement deed is not acted upon, and not bind the petitioner another creditors of the first respondent. Hence the petitioner filed this petition with in 90 days of the execution of the said nominal registered settlement deed dated 29-6-2009.

8 Cause of Action :-

The cause of action for th petition arose on 25-8-2004 when the first respondent borrowed an amount of Rs. 40,000/- and on 8-12-2005 again borrowed an amount of Rs. 47,000/- from one Koteswaramma who is the wife of the petitioner and executed two promissory notes infavour of her and after demise of said Koteswaramma the petitioner who is her only legal heir and husband became holder of the said two pranotes, when the first respondent executed nominal and collusive registered settlement deed

dated 29-6-2009 it arose Karedu Village of Ulavapadu Mandal, Prakasam District, where the registered settlement deed registered at Singaraya konda Sub Registration Of fice, Prakasam District with in the jurisdiction of this Hon'ble Court. Hence this Hon'ble Court has got jurisdiction to try the petition.

9 Court Fee :-

For the purpose of the Court fee and jurisdiction afixed court fee of Rs. 10/- is paid here with under article II schedule 1 of APCF and S.V.Act.

10. Prayer :-

Therefore the petitioner humbly prays that the Hon'ble Court may be pleased.

(a) To adjudicate the 1st respondent.

(b) To appoint interim receiver to take possession of the property of the 1st respondent for proper administration of the state of the first respondent and distribute the proceeds among the General body of the creditors.

(c) For the Court of this petition.

(d) For such other and further reliefs as the Honorable Court deems fit as proper in the circumstances of the case.

Kandukur

Date : 29-9-2009

L.T.I of Pigili Adi Narayana
Petitioner

I the petitioner herein solemnly declare that the above contents are all true as correct of the my knowledge information and belief.

Advocate for petitioner

L.T.I of Pigili Adi Narayana
Petitioner

11 List of Documents :

- 1 Certified copy of the pranote dated 25-8-2004
- 2 Certified copy of the pranote dated 8-12-2005

- 3 Certified copy of the Registered settlement deed dated 29-6-2009.
 4 Certified copy of the plaint in OS No. 72/2009 on the file of the Senior Civil Judge Court, dated 5-12-2008.

Advocate for petitioner

East : Government Channel
 South : Lands of Pigili Narasimham and Kondamma
 West : Chilla Kaluva Poramboke land
 North : Land of Mallavarpu Venkateswarlu

IN THE COURT OF THE SENIOR CIVIL JUDGE - KANDUKUR
 I.P. No. 29/2009

Value of Rs. 60,000/-

Kandukur
 Date : 29-9-2009

Pigili Adi Narayana

----Petitioner

LTI of Pigili Adi Narayana
 Petitioner

And

Dasari Vekarma and other

____Respondents

Petition schedule filed on behalf of the petitioner showing the property covered under registered settlement deed dated 29-6-2009

Prakasam District Registration -
 Singarayakonda Sub Registration - Ulavapadu
 Revenue Mandal - Karedu Revenue Village, and
 Gram Panchayat Patta No. 95 - Survey No. 465 -
 an extent of Ac. 0-80 cents or 0.324 Hectors -
 West land - boundaries.

Advocate for petitioner

LTI of Pigili Adi Narayana
 Petitioner

I the petitioner herein do hereby state declare that the facts stated in the above schedule of the petitioner are all true and correct to the best of my knowledge information belief.